



IDVA Insights into domestic violence prosecutions

Data from the CAADA Insights Service

January to December 2011

Executive summary



Table of contents

Executive summary	1
Scope	1
Sample	1
Summary of key findings	2
Further findings on key Criminal Justice System stages.....	4
Appendix: data tables.....	9

About CAADA

Co-ordinated Action Against Domestic Abuse (CAADA) is a national charity supporting a strong multi-agency response to domestic abuse. Our work focuses on saving lives and saving public money. CAADA provides practical help to support professionals and organisations working with domestic abuse victims. The aim is to protect the highest risk victims and their children – those at risk of murder or serious harm.

Executive summary

Scope

This report has been produced by the national charity Co-ordination Action Against Domestic Abuse (CAADA) in response to a request from the Crown Prosecution Service (CPS) for data from the CAADA Insights dataset over the year 1st January 2011 to 31st December 2011.

CAADA Insights is an outcomes measurement service for specialist domestic abuse services. The CAADA Insights dataset comprises of data collected by Independent Domestic Violence Advisors (IDVAs) during the course of their work with victims of domestic abuse. Data was collected from 17 Independent IDVA services across the England and Wales between 1st January and 31st December 2011: a total of 2671 victims were supported during this time.

The CPS requested an examination of the outcomes data held around the Criminal Justice process. CAADA was asked to look at the differing profiles and outcomes for clients at different stages of the Criminal Justice System. The analysis aims to provide an insight into the profile and experiences of IDVA-supported victims who are accessing the Criminal Justice System.

The Insights dataset, by its very nature, only includes those victims who are seeking help i.e. that have engaged with an IDVA service and have consented to their data being used for research and monitoring purposes.¹ This report will focus on the differing profiles and outcomes of clients being supported through the various stages of the Criminal Justice System and cannot therefore comment on those cases where victims of domestic abuse are not supported through the court process by an IDVA.

Although reported on, the results discussed within this report do not account for other interventions that the IDVA will have mobilised for their clients during this time period. Other interventions include safety planning, multi-agency advocacy, and support with health and wellbeing. This is important to note as outcomes cannot be solely attributed to the Criminal Justice System.

These data are in no way comparable to CPS data; the CPS published data on prosecutions for Violence Against Women and Girls draws on CPS data management systems and data on volumes of prosecutions and outcomes.

Sample

Analyses were undertaken on data collected from 17 Independent Domestic Violence Advisor (IDVA) services across the UK between 1st January and 31st December 2011. Cases were analysed in terms of profile and outcomes and comparisons were made within 6 different aspects of the Criminal Justice System based on:

- whether a perpetrator is charged (there was a prosecution);
- whether the CPS continue with the case;

¹Note that few clients do not consent.

- whether special measures are granted;
- whether the case is heard at a Specialist Domestic Violence Court (SDVC);
- whether a restraining order is imposed; and
- whether there is a conviction.

This executive summary includes the key findings from the analysis, and the appendix to this report shows all the statistically significant differences within each subset of victims.

The table below illustrates the number and proportion of clients within each of these 6 stages.

	Number	Percentage
All victims		
Total victims supported	2671	-
Reports to police		
Number who reported domestic abuse to police	854	32% of victims supported
Prosecutions		
Number of CPS prosecutions (decision to charge)	526	62% of reports to the police
Outcome of prosecution [data available in 454 ^[2] cases]		
Discontinued prosecutions (<i>Discontinued due to victim withdrawal</i>)	66 (28)	15% of prosecutions where outcome is known (42% of discontinued prosecutions)
Acquittals	38	8% of prosecutions where outcome is known
Conviction	350	77% of prosecutions where outcome is known
Other data		
Special Measures granted	74	14% of prosecutions, 17% of cases that continued to court
Heard in SDVC	378	72% of prosecutions, 85% of cases that continued to court
Restraining Order imposed (<i>on acquittal</i>)	185 (9)	42% cases continued to that court (5% of cases continued to court, 24% of acquittals)

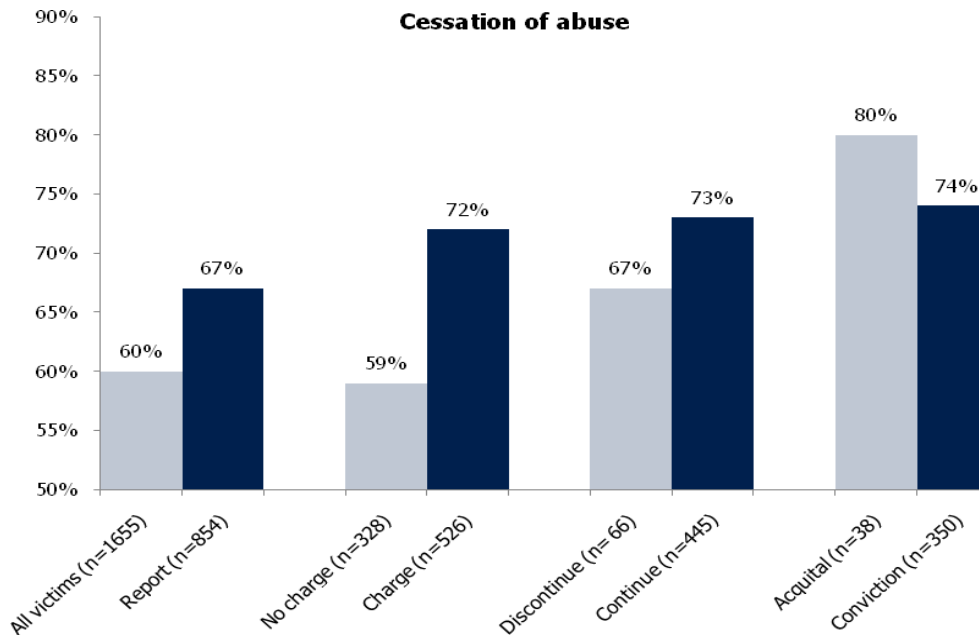
Summary of key findings

Differences and similarities in the victims' profile at the point of intake into the IDVA service and profile and outcomes at the point of exit from the IDVA service are discussed.

Overall, it can be seen that the proportion of victims experiencing a cessation of abuse at the point of exit from the IDVA service increases at each stage of the criminal justice process. The most significant increase in cessation of abuse is for those victims where the perpetrator had been charged with an offence following a report to the police, compared to where there is no charge. This

² Information was not recorded for 72 cases

suggests that victims of domestic abuse who are in contact with IDVA services and have some engagement with the Criminal Justice process are more likely to experience a reduction in abuse or a cessation of abuse than those victims who report to the police but where there is no decision to charge.



The proportion of victims experiencing a cessation of abuse at each stage of the criminal justice process³

Victims supported by IDVAs where there is a CPS decision to charge were suffering severe levels of violence at the point of intake (62% experienced severe physical abuse). Crucially, larger proportions of reductions in abuse and cessation of abuse can be seen following the charge of a perpetrator (72% reported a complete cessation of abuse compared to 59% where there was no charge following a report to the police). Whilst continuing to court did not have a significant impact on cessation of abuse (73% compared to 67% where the CPS did not continue), a greater proportion of victims reported improvements in their safety, quality of life and confidence to access support following the continuation of a case to court, and larger proportions of IDVAs perceived a reduction in risk to the victim once a guilty verdict has been passed. The data shows that the CPS was less likely to discontinue a case if there was severe stalking and harassment at intake.

In almost half (42%) of prosecutions, there was also a restraining order applied for and granted. At intake, these cases were understandably more likely to report severe harassment and stalking. At exit, those victims who were granted a restraining order were less likely to report severe physical

³With the exception of the 'No charge' and 'Charge' group, the differences in the proportion of clients experiencing a complete cessation of abuse within each sample were not statistically significant.

abuse or jealous and controlling behaviours, and were more likely to experience a complete cessation of all abuse types (80% compared to 67%).

In these data, SDVCs achieved better outcomes than other courts. The data also showed that cases heard in an SDVC were more likely to result in a guilty verdict. Only 17% of cases that continued to court had special measures applied for and granted, but for those victims who were granted special measures reported feeling safer.

Protected characteristics of victims

The majority of victims (n=526) where there was a charge decision made were female (91%), heterosexual (99%,) and aged between 21 and 50 (82%), with a large proportion (34%) falling within the 21-30 age bracket. The majority of victims were white British (92%) and had children (60%).

Where there was a decision to charge, 48% of victims reported having at least one of the following: drug misuse, alcohol misuse, mental health issues, previous threats or attempts of suicide and self harm.

Further findings on key Criminal Justice System stages

CPS decision to charge (prosecutions)

There were a total of 854 victims who had made a report to the police in the dataset for the year January to December 2011. The perpetrator was prosecuted in 526 (62%) of these cases; in the remaining 328 there was a decision not to charge.⁴

There were no significant differences in the demographic profile⁵ of those victims where there was a decision to charge and those where there was not; however differences were observed in the victim's circumstances when they were referred to the IDVA service and the outcomes following the support of the IDVA.

At the time of referral to the IDVA in those cases where there was a decision to charge:

- It was less likely that the victim and perpetrator were in a current relationship (32% compared to 40%) or living together (19% compared to 34%). This may be because those in a relationship are less likely to support the criminal justice process because of continued pressure from the perpetrator or not being at a stage when they are ready to end the relationship.
- Victims were also less likely to report complex issues around their mental health (24% compared to 31%), self harm (13% compared to 19%), previous threats or attempts of suicide (16% compared to 22%), and around their financial problems (20% compared to 29%). This may indicate that there are additional barriers to charging in cases where the

⁴ It was not possible to examine the reasons why there was no decision to charge as these data were not captured.

⁵ 90% of victims were White British, 37% were aged between 21 and 30, and 63% had children.

victim has complex issues, although further analysis is required to describe the barriers faced.

- There was also a relationship discovered between the profile of abuse and whether or not a perpetrator is charged. The reporting of sexual abuse (17% compared to 27%), harassment and stalking (49% compared to 57%) and jealous and controlling behaviour (77% compared to 84%) appears less likely to result in a perpetrator being charged. This could highlight a potential gap in the criminal justice system in relation to sexual abuse, harassment and stalking and jealous and controlling behaviours; further data and analyses would be required in order to explore this more fully.

The outcomes for those victims in those cases where there was a decision to charge were more positive than where there was no decision to charge, specifically:

- IDVAs were more likely to perceive a reduction in risk (80% compared to 74%);
- victims were more likely to be free from fear (35% compared to 28%); and importantly
- victims were more likely to experience a cessation of abuse (72% compared to 59%). Specifically the victim is less likely to be experiencing harassment and stalking (17% compared to 26%) and jealous and controlling (16% compared to 26%) behaviour. This, in tandem with a higher overall cessation of abuse, suggests that there is a positive effect on non-physical forms of abuse following a charge.

CPS continue with case (at court)

Of the 526 cases where there was a charge, the CPS continued with 445 (85%) prosecutions, and discontinued 66 (13%) prosecutions. Information was not recorded for the remaining 15 cases. Comparisons between victims in cases where the prosecution was continued and those where the prosecution was discontinued reveals differences in both the circumstances of victims and the outcomes for victims.

Where the CPS continued with the prosecution victims were:

- less likely to be in a current relationship with (29% compared to 44%), and;
- more likely to be experiencing severe harassment and stalking (37% compared to 26%), or severe jealous and controlling behaviours (53% compared to 41%).

Of the cases where the victim withdrew their statement (n=28), the proportion of victims in a current relationship with the perpetrator was greater, at 50%. This may indicate that those victims in continuing relationships are less likely to support a prosecution and provide evidence.

Interestingly, the proportion of victims reporting complex issues at the point of referral to the IDVA service was similar in both the group of victims where there was a continuation of the prosecution and where it was discontinued. This suggests that barriers to the Criminal Justice System occur after reports have been made to the police and prior to charges being made, and that there are no further barriers for victims once there has been a charge in the case.

Other than prevalence of severe physical abuse (which was significantly less in the victims where there was a continuation of the prosecution – 6% compared to 11%) there were no significant differences in the abuse profile at the outcome point. There was, however a difference in

perceptions of safety and reduction in risk; the IDVA was more likely to perceive a reduction in risk and the victim more likely to report feeling safer where prosecution was continued. It is possible that victims feel more positive following CPS involvement due to their perception of this process as a positive one.

Special measures

Special measures were granted in only 74 (17%) of the 445 cases that continued to court. Four clients were denied special measures, 265 did not request special measures and the data is missing for the remaining 102 clients. Due to the large proportion of missing data, descriptive statistics only have been presented in this section.

More than a quarter (27%) of those who were granted special measures had mental health issues, a similar proportion (24%) had previously threatened or attempted suicide, and 19% had self-harmed. These victims may be those most vulnerable to the psychological impact of the court process. Other complex needs (mental health, substance misuse, disability) were similarly represented in the group of victims that had been granted special measures and all other victims. This is a surprising finding as all of these issues suggest additional sources of vulnerability for the victim. There was a slightly higher proportion of victims with a disability in the group who did not have special measures – 7% compared to 5%.

In terms of outcomes, a larger proportion of victims who were granted special measures:

- reported feeling safer (89% compared to 74%);
- reported an improvement in their quality of life (88% compared to 73%);
- were confident to access support in the future (92% compared to 82%), and;
- experienced a complete cessation of all abuse (82% compared to 71%),

compared to victims who were not granted special measures. The data suggests that special measures have a positive effect on victim outcomes, which may be due to the close working between the victim, the IDVA, the police and the court, as well as support in meeting the victim's needs. Special measures are just one of a number of interventions available to victims, and they may not be the sole reason for the more positive outcomes experienced by this group.

In addition, where special measures were granted the professionals supporting the victim perceived a reduction in risk for a higher proportion of victims. IDVAs who supported victims who were granted special measures reported that there had been a reduction in risk for 92%, compared to 82% of victims where no special measures were recorded.

Specialist Domestic Violence Court

378 (85%) of the 445 cases that continued to court were heard at a Specialist Domestic Violence Court (SDVC)⁶.

⁶ The SDVC courts accessed within this sample generally follow the process of holding a pre-trial plea and case management hearing and allocation of specific slots for further hearings or trials, although most

48 cases were not heard at an SDVC and the information was missing for the remaining 19 victims.

At the point of referral to the IDVA service those victims whose case went through an SDVC were more likely to be white British. This could suggest barriers to victims from Black and Minority Ethnic backgrounds around the SDVC systems, but could also be due to those regions with higher proportions of victims from Black or Minority Ethnic backgrounds within the local area having less availability on an SDVC day, resulting in more cases being heard at a Magistrates' court. Further investigation is needed in order to investigate why there are different profiles of victims accessing the SDVC.

In terms of outcomes, those victims whose case was heard at an SDVC were more likely to result in a guilty verdict. This suggests that SDVCs are successful in bringing offenders to justice.

Restraining orders

Of the 445 cases that continued to court, the court imposed a restraining order against 185 (42%) of the perpetrators. The 185 victims with a restraining order granted were more likely to experience severe stalking and harassment at the point of referral to the IDVA service (44% compared to 32%).

At exit, only 5% of victims who had a restraining order in place experienced further harassment and stalking. Where an order was in place, victims were more likely to experience a cessation in abuse and more likely to report feeling safer. Victims also reported an improved quality of life and increased confidence in accessing further support.

The data therefore shows that imposing a restraining order on a perpetrator has a positive outcome for victims, in terms of subsequent experience of abuse, and IDVA and victim reported outcomes.

Guilty verdict/convictions

Of the 526 prosecutions, 66 were discontinued by the CPS, 38 acquitted, 350 convicted and 72 cases the outcome of the case was not known (or the data was missing). This section will report on 388 victims where the case continued to court and there was a known verdict in the case. Of these, 350 resulted in a conviction (either pled or found guilty) and 38 resulted in a not guilty verdict.

At the point of intake to the IDVA service, those victims where the case resulted in conviction are less likely to have reported problems with alcohol compared to those victims whose case did not result in a guilty verdict. This may suggest that the misuse of alcohol as a victim is detrimental to the outcome of the court case.

At the point of exit from the IDVA service, those victims where the case resulted in a conviction are more likely to have a reduction in risk perceived by their IDVA at the point of exit from the IDVA service. IDVAs perceived a reduction in risk for 87% of clients, compared to 68% where there was no guilty verdict.

report that due to availability of the courts the trial rarely falls on a day where the SDVC is running. Cases are marked as being heard at an SDVC if the first hearing is in the SDVC, or plea and management hearing.

The data shows that there is no relationship seen between the victim's case resulting in a conviction and the abuse being experienced by a victim and the victims' feelings of safety at the point of exit from the IDVA service. This suggests that case verdicts do not have an impact upon the abuse experienced by a victim at the point of exit from the IDVA service once a case has passed the point of charge. The most common penalties for a guilty verdict are restraining orders, community sentences and fines. Custodial sentences of over 12 months are imposed in fewer than 1 in 10 cases where a perpetrator pleads or is found guilty.

Conclusion

The results of this report suggest that victims of domestic abuse who are in contact with IDVA services and have some engagement with the Criminal Justice process are more likely to experience a reduction and/or cessation of abuse, when compared to victims who reported to the police but a decision to charge was not taken.

The report highlights that further research is required into some areas, for example around the barriers to progression through the Criminal Justice System, particularly for those victims experiencing sexual abuse, harassment and stalking or jealous and controlling behaviours, victims who report mental health issues, and victims from Black or Minority Ethnic backgrounds, in order to refine and review the approach to domestic violence victims within the court process.

Appendix: data tables

Many comparisons were undertaken, although only those significant associations are shown here⁷, (for a list of all comparison factors, see Appendix 4 below). Emboldened figures in the tables denote that the rates differed significantly across the different levels of a profile indicator (e.g. the proportion of clients who were charged experiencing vulnerabilities around mental health versus the proportion of clients who were not charged experiencing these vulnerability issues).

A.2.1 Charge

At intake		At exit	
Vulnerabilities around Mental Health:			
No Charge	31%	No Charge	26%
Charge	24%	Charge	17%
Total	27%	Total	21%
Chi-Square	5.57*	Chi-Square	8.56**
Threatened or attempted suicide:			
No Charge	22%	No Charge	26%
Charge	16%	Charge	16%
Total	18%	Total	20%
Chi-Square	4.84*	Chi-Square	12.24***
Self harm:			
No Charge	19%	No Charge	14%
Charge	13%	Charge	7%
Total	15%	Total	10%
Chi-Square	6.4*	Chi-Square	10.53***
Financial problems:			
No Charge	29%	No Charge	32%
Charge	20%	Charge	24%
Total	23%	Total	27%
Chi-Square	9.55**	Chi-Square	5.55*
Harassment and stalking:			
No Charge	31%	No Charge	26%
Charge	24%	Charge	17%
Total	27%	Total	21%
Chi-Square	5.57*	Chi-Square	8.56**
Jealous and controlling behaviour:			
No Charge	22%	No Charge	26%
Charge	16%	Charge	16%
Total	18%	Total	20%
Chi-Square	4.84*	Chi-Square	12.24***
Living together:			
No Charge	19%	No Charge	14%
Charge	13%	Charge	7%
Total	15%	Total	10%
Chi-Square	6.4*	Chi-Square	10.53***
Ongoing contact:			
No Charge	29%	No Charge	32%
Charge	20%	Charge	24%
Total	23%	Total	27%
Chi-Square	9.55**	Chi-Square	5.55*

⁷ *p<.05, **p<0.01, ***p<0.001

Any complex need:		Risk reduction:	
No Charge	59%	No Charge	74%
Charge	48%	Charge	80%
Total	52%	Total	78%
Chi-Square	9.14**	Chi-Square	4.14*
Sexual abuse:		Client not frightened:	
No Charge	27%	No Charge	28%
Charge	17%	Charge	35%
Total	21%	Total	32%
Chi-Square	10.9**	Chi-Square	4.05*
Harassment and stalking:		Cessation of abuse:	
No Charge	57%	No charge	59%
Charge	49%	Charge	72%
Total	52%	Total	67%
Chi-Square	4.66*	Chi-Square	15.46***
Jealous and controlling behaviour:			
No Charge	84%		
Charge	77%		
Total	80%		
Chi-Square	5.02*		
Severe physical abuse:			
No Charge	48%		
Charge	62%		
Total	56%		
Chi-Square	16.62***		
Severe sexual abuse:			
No Charge	15%		
Charge	7%		
Total	10%		
Chi-Square	14.06***		
Living together:			
No Charge	35%		
Charge	19%		
Total	25%		

Chi-Square **27.18*****

Intimate partner:
 No Charge 40%
 Charge 32%
 Total 35%
 Chi-Square **5.54***

A.2.2: CPS proceeds to court

At intake		At exit	
Severe harassment and stalking:		Living together:	
CPS did not Proceed	26%	CPS did not Proceed	17%
CPS Proceeded	37%	CPS Proceeded	6%
Total	35%	Total	7%
Chi-Square	3.09*	Chi-Square	10.03***
Severe jealous and controlling behaviours:		Severe physical abuse:	
CPS did not Proceed		CPS did not Proceed	11%
CPS Proceeded	41%	CPS Proceeded	5%
Total	53%	Total	6%
Chi-Square	52%	Chi-Square	3.44**
Intimate Partner:		Ongoing contact:	
CPS did not Proceed		CPS did not Proceed	33%
CPS Proceeded	44%	CPS Proceeded	23%
Total	29%	Total	25%
Chi-Square	31%	Chi-Square	3.23*
		Risk reduction:	
		CPS did not Proceed	64%
		CPS Proceeded	84%
		Total	81%
		Chi-Square	14.89***
		Client feels safer:	
		CPS did not Proceed	64%
		CPS Proceeded	77%
		Total	75%
		Chi-Square	5.38*

Client Improved quality of life::	
CPS did not Proceed	58%
CPS Proceeded	76%
Total	73%
Chi-Square	9.7***

A.2.3: Special measures

At intake

Threatened or attempted suicide:	
No Special Measures	14%
Special Measures	24%
Total	16%
Chi-Square	5.27*

At exit

Living together:	
No Special Measures	7%
Special Measures	0%
Total	6%
Chi-Square	5.51*

CJ review

Breach Non-Mol:	
No Special Measures	4%
Special Measures	11%
Total	5%
Chi-Square	5.77*

Ongoing contact:	
No Special Measures	25%
Special Measures	14%
Total	23%
Chi-Square	4.63*

Public offences - Charged:	
No Special Measures	1%
Special Measures	7%
Total	2%
Chi-Square	8.22**

Risk Reduction:	
No Special Measures	82%
Special Measures	92%
Total	84%
Chi-Square	4.46*

Client feels Safer:	
No Special Measures	74%
Special Measures	89%
Total	77%

Chi-Square **7.59****

Client improved quality of life:

No Special Measures 73%

Special Measures 88%

Total 76%

Chi-Square **7.08****

Client confidence to access support:

No Special Measures 82%

Special Measures 92%

Total 83%

Chi-Square **4.65***

Cessation of abuse:

No Special Measures 71%

Special Measures 82%

Total 73%

Chi-Square **4.3****

A.2.4: SDVC

At intake

Victims misuse of alcohol:

No SDVC 23%

SDVC 12%

Total 13%

Chi-Square **4.82****

CJ review

Common Assault - Charged:

No SDVC 44%

SDVC 64%

Total 62%

Chi-Square **7.2*****

Any complex need:

No SDVC 60%

SDVC 48%

Total 48%

Chi-Square **2.78***

Common Assault - Convicted:

No SDVC 38%

SDVC 51%

Total 50%

Chi-Square **3.13***

White British:

No SDVC 88%

SDVC 94%

Total 94%

Chi-Square **3.46***

ABH - Charged:

No SDVC 19%

SDVC 7%

Total 9%

Chi-Square **6.91*****

Other - Charged:	
No SDVC	15%
SDVC	6%
Total	7%
Chi-Square	4.28**
Guilty:	
No SDVC	67%
SDVC	83%
Total	82%
Chi-Square	7.83***

A.2.5: Restraining order

At intake

Victims misuse of alcohol:		Severe harassment and stalking:	
No Restraining Order	16%	No Restraining Order	32%
Restraining Order	9%	Restraining Order	44%
Total	13%	Total	37%
Chi-Square	4.13*	Chi-Square	7.59**
Physical abuse:		Intimate partner:	
No Restraining Order	85%	No Restraining Order	33%
Restraining Order	75%	Restraining Order	23%
Total	81%	Total	29%
Chi-Square	7.42**	Chi-Square	5.68*
Harassment and stalking:			
No Restraining Order	46%		
Restraining Order	57%		
Total	51%		
Chi-Square	5.75*		

At exit

CJ review

Physical abuse:		ABH - Convicted:	
No Restraining Order	16%	No Restraining Order	5%
Restraining Order	6%	Restraining Order	11%
Total	12%	Total	8%
Chi-Square	10.12***	Chi-Square	4.51*

Jealous and controlling behaviour:		Breach Non-Mol - Charged:	
No Restraining Order	21%	No Restraining Order	4%
Restraining Order	9%	Restraining Order	9%
Total	16%	Total	6%
Chi-Square	11.98***	Chi-Square	5.41*
Severe physical abuse:		Breach Non-Mol - Convicted:	
No Restraining Order	7%	No Restraining Order	2%
Restraining Order	2%	Restraining Order	9%
Total	5%	Total	5%
Chi-Square	5.21*	Chi-Square	10.44***
Severe jealous and controlling behaviour:		Harassment - Charged:	
No Restraining Order	8%	No Restraining Order	9%
Restraining Order	1%	Restraining Order	19%
Total	5%	Total	13%
Chi-Square	10.05**	Chi-Square	9.68**
Living together:		Harassment - Convicted:	
No Restraining Order	10%	No Restraining Order	5%
Restraining Order	0.5%	Restraining Order	18%
Total	6%	Total	11%
Chi-Square	16.18***	Chi-Square	17.75***
Ongoing contact:		Guilty:	
No Restraining Order	27%	No Restraining Order	69%
Restraining Order	17%	Restraining Order	93%
Total	23%	Total	79%
Chi-Square	6.09*	Chi-Square	38.68***
Risk reduction:			
No Restraining Order	76%		
Restraining Order	95%		
Total	84%		
Chi-Square	27.93***		
Client feels safer:			
No Restraining Order	71%		

Restraining Order	85%
Total	77%
Chi-Square	11.42***
Client improved quality of life:	
No Restraining Order	70%
Restraining Order	84%
Total	76%
Chi-Square	11.17***
Client confidence to access support:	
No Restraining Order	80%
Restraining Order	89%
Total	83%
Chi-Square	6.36*
Cessation of abuse:	
No Restraining Order	67%
Restraining Order	80%
Total	73%
Chi-Square	9.67**

A.2.6: Guilty

The overall sample size of victims not receiving a guilty verdict was too small to look for significant differences between further factors.